

R7 L A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, PURSUANT TO SECTION 106-118 OF THE CITY CODE, THE PRIVATE PARKING LOT SIGNAGE, ATTACHED AND INCORPORATED HEREIN AS EXHIBIT "A," TO BE PROVIDED AT NO COST TO OWNERS AND OPERATORS OF PRIVATE PROPERTIES OPEN TO THE PUBLIC FOR PAID MOTOR VEHICLE PARKING, SO THAT THE OWNERS AND OPERATORS OF SUCH PRIVATE PROPERTIES MAY POST THE SIGNS, IN A MANNER CONSISTENT WITH SECTION 106-118, TO ENSURE THAT MOTOR VEHICLE DRIVERS ARE AWARE THAT THE PROPERTY IS PRIVATE PROPERTY AND IS NOT A PUBLIC PARKING FACILITY OPERATED BY A GOVERNMENTAL ENTITY.

Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: December 11, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, PURSUANT TO SECTION 106-118 OF THE CITY CODE, THE PRIVATE PARKING LOT SIGNAGE, ATTACHED AND INCORPORATED HEREIN AS EXHIBIT "A," TO BE PROVIDED AT NO COST TO OWNERS AND OPERATORS OF PRIVATE PROPERTIES OPEN TO THE PUBLIC FOR PAID MOTOR VEHICLE PARKING, SO THAT THE OWNERS AND OPERATORS OF SUCH PRIVATE PROPERTIES MAY POST THE SIGNS, IN A MANNER CONSISTENT WITH SECTION 106-118, TO ENSURE THAT MOTOR VEHICLE DRIVERS ARE AWARE THAT THE PROPERTY IS PRIVATE PROPERTY AND IS NOT A PUBLIC PARKING FACILITY OPERATED BY A GOVERNMENTAL ENTITY.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

The attached Resolution was prepared at the request of the sponsor, Commissioner Alex Ferandez.

### **FISCAL IMPACT STATEMENT**

Administration is requested to be prepared to address the fiscal impact of this proposed measure, if any, at the City Commission meeting.

### **Does this Ordinance require a Business Impact Estimate?** (FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

### **FINANCIAL INFORMATION**

### **CONCLUSION**

**Applicable Area**

Citywide

**Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

City Attorney

**Sponsor(s)**

Commissioner Alex Fernandez

**Co-sponsor(s)**

**Condensed Title**

Approve Private Property Parking Signage. (Fernandez) CA

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, PURSUANT TO SECTION 106-118 OF THE CITY CODE, THE PRIVATE PARKING LOT SIGNAGE, ATTACHED AND INCORPORATED HEREIN AS EXHIBIT "A," TO BE PROVIDED AT NO COST TO OWNERS AND OPERATORS OF PRIVATE PROPERTIES OPEN TO THE PUBLIC FOR PAID MOTOR VEHICLE PARKING, SO THAT THE OWNERS AND OPERATORS OF SUCH PRIVATE PROPERTIES MAY POST THE SIGNS, IN A MANNER CONSISTENT WITH SECTION 106-118, TO ENSURE THAT MOTOR VEHICLE DRIVERS ARE AWARE THAT THE PROPERTY IS PRIVATE PROPERTY AND IS NOT A PUBLIC PARKING FACILITY OPERATED BY A GOVERNMENTAL ENTITY.**

**WHEREAS**, Section 106-118 of the City Code provides for the regulation and approval of signage for private parking lots open to the public for paid motor vehicle parking, to ensure clarity and prevent public confusion regarding the nature and ownership of such parking facilities; and

**WHEREAS**, private properties open to the public for paid parking have, on many occasions, been mistakenly perceived by motor vehicle drivers as public parking facilities operated by governmental entities; and

**WHEREAS**, to address this issue, the City of Miami Beach seeks to provide standardized private parking lot signage to owners and operators of such properties, at no cost, to clearly indicate that these properties are private and not public parking facilities; and

**WHEREAS**, the signage to be provided has been designed, pursuant to Section 106-118 of the City Code, to aid in ensuring that motor vehicle drivers are conspicuously and unequivocally informed about the nature of the parking facility; and

**WHEREAS**, the Mayor and City Commission find that the approval of such signage, as attached and incorporated herein as Exhibit "A," serves the public interest by promoting transparency, reducing confusion, and fostering compliance with the City Code.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA** that the Mayor and City Commission hereby approving, pursuant to Section 106-118 of the City Code, the private parking lot signage, attached and incorporated herein as Exhibit "A," to be provided at no cost to owners and operators of private properties open to the public for paid motor vehicle parking, so that the owners and operators of such private properties may post the signs, in a manner consistent with Section 106-118, to ensure that motor vehicle drivers are aware that the property is private property and is not a public parking facility operated by a governmental entity.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**ATTEST:**

\_\_\_\_\_  
Steven Meiner, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
City Attorney

12/4/2024  
\_\_\_\_\_  
Date

# **WARNING PRIVATE LOT**

**THIS IS NOT A  
MUNICIPAL PARKING FACILITY**

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**PENALTY FOR NONPAYMENT  
MAY BE TOWING VEHICLE AT  
OWNER'S EXPENSE**

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**DISABLED PARKING / CITY PARKING  
PERMIT HOLDERS MUST PAY**

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**NOTICE  
PAY TO PARK**

**EXHIBIT "A"**